

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JACQUELINE LASSITER,

Plaintiff,

v.

KIMBER ANDERSON, BRIAN GIBBS,
FLEET BANK

Defendants.

Civil Action No. 04-cv-10550-WGY

AFFIDAVIT OF BRIAN GIBBS

BRIAN GIBBS, being duly sworn, deposes and says:

1. I am over the age of eighteen (18) and I make this affidavit based upon my knowledge of the facts of this case, and my review of the records of Defendant Fleet National Bank, incorrectly identified by Plaintiff in her Complaint as "Fleet Bank" ("Fleet" or "Defendant").
2. I have been employed by Fleet or its predecessors for Eight years. At all times relevant to Plaintiff's claims, I was the Branch Manager at Fleet's Exeter Plaza Financial Center Branch on Boylston Street, Boston, Massachusetts.
3. Beginning in October 2001, Plaintiff, Jacqueline Lassiter, began working as a Teller in the Exeter Plaza Branch. Starting in December 2001, Plaintiff began reporting directly to Kimber Anderson, the Branch Operations Manager for the Exeter Plaza Branch. Ms. Anderson reported directly to me with respect to matters relating to her responsibilities and duties of employment.
4. In her capacity as Branch Manager, Ms. Anderson supervised Plaintiff in her day-to-day work.

5. I did not engage in any act of conspiracy or with a conspiratorial purpose with Ms. Anderson or Fleet, or any other agent, employee or representative of Fleet, to deprive Plaintiff, directly or indirectly, of the equal protection of the laws or of equal privileges and immunities under the laws.

6. Further, I acted at all times within the scope of my responsibilities and duties of my employment as a Branch Manager with respect to any decisions I made concerning Plaintiff's employment and any interactions I had with Plaintiff.

7. Further, I have no knowledge of a conspiracy with respect to Plaintiff's employment and have not based any decisions relating to Plaintiff on her race.

8. I do not know of any conspiracy by Ms. Anderson, Fleet or any other agent, employee or representative of Fleet, relating to Plaintiff's employment with Fleet.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 30th DAY OF NOVEMBER 2004.

/s/ Brian Gibbs
BRIAN GIBBS